

Minutes of a Town of Riverhead Town Board meeting held by the town board of the Town of Riverhead at the George Young Community Center, South Jamesport Avenue, Jamesport, New York on Tuesday, August 17, 2010 at 7:00 p.m.

PRESENT:

Sean Walter,	Supervisor
John Dunleavy,	Councilman
James Wooten,	Councilman
George Gabrielsen,	Councilman
Jodi Giglio,	Councilwoman

ALSO PRESENT:

Diane M. Wilhelm,	Town Clerk
Dawn Thomas,	Town Attorney

Supervisor Walter opened the meeting at 7:00 p.m.

(The Pledge of Allegiance was recited, led by the Eagle Scouts.)

The invocation was conducted by Rev. Fink.

Minutes of the Town Board meeting of August 3, 2010 was so moved by Councilman Dunleavy and seconded by Councilman Gabrielsen and were approved.

APPLICATIONS:

Special event	Hallockville Museum Farm - country fair type festival - September 18 & 19, 2010
Special event	Martha Clara Vineyards - Octoberfest, Sept. 11 & 12
Special event	Fink's Country Farm - fall farm event - Sept. 18 thru Nov. 1

CORRESPONDENCE :

Petition	FBC Housing Corp. and First Baptist Church of Riverhead dated August 11, 2010 to expand Riverhead Sewer District
Christine Curtis Member of accessory apartment review board	letter of opposition dated Aug. 13, 2010 to amend Article VII accessory apartments
Linda J. Hulse Member of accessory apartment review board	letter of opposition dated Aug. 13, 2010 to amend Article VII Chapter 108, accessory apartments
Constance M. Lassandro Baiting Hollow	letter of appreciation, dated August 3, 2010 recognizing the professional manner in which dispute of water bill was handled by town justice Dick Ehlers and Lynn Barauskas of the water department
Brenda Prusinowski Riverhead	letter dated August 2, 2010 noticing the town of dying trees in town right of way
Keith Brown Brown & Altman, LLP	letter dated August 6, 2010 re special permit application by T-Mobile Northeast LLC
Everett Watson Rockledge, Florida	letter dated August 10, 2010 acknowledging professionalism of Julia O'Neill, deputy town clerk

REPORTS :

Tax Receiver	2009 - 2010 tax year collection report - \$125,162,697.67
Building Department	statement of monies received - April - \$87,805.25

statement of monies received -
May - \$75,074.75

statement of monies received -
June - \$75,591.00

statement of monies received -
July - \$103,493.75

Public hearing opened: 7:12 p.m.

The consideration of the merits of the special use permit petition of Quest LLC to allow a 3,600 square foot expansion of a non-conforming warehouse and office use upon real property located at Edgar Avenue, Aquebogue, New York SCTM# 0600-86-1-38.1.

Peter Danowski: "My voice will carry. My wife says the same thing.

This is a special permit application regards to a local businessman, (inaudible) Galasso. This town board (inaudible) at a work session several months back.

Mr. Galasso and his entity own a parcel that's already improved on Edgar Avenue in Aquebogue. They also control the neighboring property on which there is an improved building for their marine supply business.

Adjacent to the parcel in question on the other side is another commercial user with an improvement on it, it's an auto body shop.

The neighborhood is such that there is an auto body shop legally existing across the street on Edgar Avenue. There are also buildings for the Corwin Duck Farm on the corner.

Catty-corner across the railroad tracks is a delicatessen. So we have a commercial area developed in a pocket in the hamlet of Aquebogue.

In the normal case, we would probably look at zoning and see industrial zoning code provision on the property. However, that was formerly true; no longer true today.

The town board- the previous town board in considering zoning changes throughout the town, for whatever reason, chose to make all these local businessmen and their uses, I should say the uses, not them - not conforming meaning no longer are these uses used as consistent with the underlying zoning today, although they're allowed to exist because they legally existed when they were built.

So we have these business people in the town, they need to expand and the process in the town as a result of rezoning, is that they have to file a special permit request for an expansion of the non-conforming use.

What that means for someone like Clete Galasso is he had to hire an engineer and surveyor that filed a conceptual plan that showed where the proposed building addition would be located. In this specific instance, it would be to the rear of the existing structure, would not enter onto the front yard. It would be an expansion of the roof line to the back.

Again, it would be very helpful- he as a businessman, because what he intends to do is use the back new addition for storage purposes for his adjacent property which is the marine supply business.

For the practical matter, his employees and himself can actually walk to the adjacent property to get materials stored on the site and walk back. So there's not a need to go to a different location a good distance away with vehicular traffic. He can actually use the property next door.

As a result of the fact that there is what we call an agriculture district existing on a neighboring property within 500 feet, there's also a further requirement that this application had to be referred to the Suffolk County Planning Department- Suffolk County Planning Commission that (inaudible) by a referral from the town clerk.

That was delayed in part because a SEQRA (inaudible) report had to be prepared by policy in the town before that would be forwarded on to the county.

So we had an application that really began its genesis back in October of 2009 when Clete went to his design professional and discussed how to move forward in the process with the town. That

was in October.

Conceptual site plans were prepared, it was before my involvement. Clete had hired another person to help him in the process. That person met with planning staff and discussed matters with town representatives. That all culminated with the application for the special permit that was filed back in the early part of April.

A public hearing is required under the town process. I also had to prepared notices to everyone within 500 feet of the edge of the property and, therefore, certified mailing had to be delivered to the neighboring property owners. Whether they wanted to or not, they received these certified mailings.

I also had to post the property for the sign and notify the neighborhood and others that would come down Edgar Avenue that, in fact, this public hearing had been scheduled.

I have hand delivered to the town clerk tonight the affidavit of posting of the sign. I also have delivered the hand- the certified mailing,

I have also delivered a letter for filing with the town clerk and I have had extra copies delivered to the town board members and the town attorney basically covering the points that the town code references for board members when considering the special permit application.

Some of these are pretty evident. I don't need to recite each and every one of them at this public hearing. The letter suffices for the record. But suffice it to say that if you look at the neighborhood and you look at the immediate neighbors, what (inaudible) old law impact on the neighborhood. There will be certainly an increase to the tax base if the improvement is built.

What are the aesthetic features and what would be the detriment to this application. The building would be built to the rear of the existing structure, hardly noticeable by many people but certainly I would agree the people most easily or most gravely impacted would be the neighbors.

Who are they? They are ourselves, by separate entity on a separate parcel. And to the other side, people who have a

commercial business in existence (inaudible) today.

So for all the factors that we have listed in the letter that I submitted, we feel the town board should find that this application meets the standard. That, in fact, it is something that should be granted because the overall impact of this project is nothing but positive for the community.

However, I'm here to address any comments that may be made by the public.

Certainly if you look at the conceptual site plan that has been prepared by Young & Young, everything from parking to potential landscaping, to the location of the building has been depicted.

I also in my submission- just so that anyone in the public or members of the board can recognize what the area looks like, I've printed out some of the Google maps, areas of the certain structures that exist including the subject matter parcel. I'll hand up another additional copy of that map.

With that said, I recognize the board would not be moving on this question until they hear back from the county. Merely this is to elicit comments from the public or comments from the town board and with the comments I've made and the submission, I would (inaudible)."

Councilman Gabrielsen: "Peter, I have a question. How far is the extension from Edgar Avenue back? How far is it off the road?"

Peter Danowski: "It's behind the existing building."

Councilman Gabrielsen: "The existing- "

Peter Danowski: "It requires no variance for front yard setbacks."

Councilman Gabrielsen: "Right. So it's what - 500 feet?"

Peter Danowski: "I'll read it. It is- 50 plus 80, 130 feet (inaudible)."

Councilman Gabrielsen: "How close is the closest residence?"

Peter Danowski: "The closest residence I believe would be beyond the marine supply business location which would be- I'm just guessing on my part - well over 100 feet as well. It is- beyond this building is the parking area- where the proposed structure (inaudible).

I would also note what I've pointed out also, one of the thoughts probably over the last several years was areas such as the (inaudible) farm, (inaudible) farm, and what was known as (inaudible) subdivision were thought to be potentially built out with residential homes so you could at least suggest that there are going to be a great number of residential homes nearby.

We all know now as a matter of public record that the development rights have been sold to these parcels so that no residential homes will exist and, in fact, that will remain I presume active farmland.

Thank you."

Councilman Dunleavy: "Can I ask you a question? Behind this expansion is another commercial establishment, the auto body shop?"

Peter Danowski: "The auto body shop to one side- I don't want to mis-describe (inaudible)."

Councilman Dunleavy: "So this is in a commercial area?"

Peter Danowski: "It is. Everything around it is commercial. (Inaudible)."

Councilman Dunleavy: "Thank you."

Councilwoman Giglio: "What was the property zoned prior to the master plan?"

Peter Danowski: "I believe it was zoned industrial."

Councilwoman Giglio: "Industrial. Does that allow for what you're proposing today?"

Peter Danowski: "It did. And you could ask the question, how did the buildings that got there today get built and they got built because they were consistent with zoning."

Councilwoman Giglio: "Thank you."

Supervisor Walter: "Rick, could- I would like to talk to the planning director just for a moment, if you could step up to the microphone. I just had a question or two. Generic. I'm not going to put you on the spot, Rick."

Have we done a staff report on this the way we do with any other site plan or are we still in the process of doing the staff report?"

Rick Hanley: (Inaudible)

Supervisor Walter: "Okay. So the staff report- all right, I apologize. I have not read the staff report."

Rick Hanley: (Inaudible)

Supervisor Walter: "Okay. And make it, right, put it part of the record with the town clerk as well. And we've determined that- I don't even know how you evaluate this, that we don't have to go to the zoning board of appeals."

Rick Hanley: "Now you're putting me on the spot."

Councilwoman Giglio: "Actually, I believe it was 40% lot coverage which would require zoning board for the lot coverage. Correct?"

Peter Danowski: "I certainly have no objection to any recitation in a- consideration of this matter. If it is determined that I have to go to the zoning board of appeals, I will comply with that request. Go there, obtain the approvals before I ask you to vote on this."

Supervisor Walter: "Okay. I obviously- the board has to review the staff report."

Does anybody else wish to be heard on this matter? There being nobody, I will- we will close the public comment portion of this meeting and leave it open for written comment and the submission of our staff report to the record, until Friday, August 27 at 4:30 p.m. in the town clerk's office.

Thank you, Mr. Danowski."

Public hearing closed: 7:24 p.m.
Left open for 10 days for written
comment to Friday, August 27, 2010
at 4:30 p.m.

Public hearing opened: 7:24 p.m.

Supervisor Walter: "We have a second public hearing which is scheduled to take place at 7:10 and 7:10 having arrived and left, this is for the consideration to amend the purpose of the original acquisition- oh, Councilman Wooten, this is your- you want to announce this one. Isn't this your passive recreation."

Councilman Wooten: "Oh, I can announce it. It's a public hearing to be held today all interested persons to consider amending the purpose of the original acquisition of Suffolk County tax map #0600-12-3-1 and SCTM# 0600-41-1-17.1 as known as the Terry Carter (phonetic) property up on Sound Avenue near the 4H camp to include a plan to provide public access and to make improvements to the subject parcels for passive recreation use and utilize community preservation funds to make the necessary improvements in an amount not to exceed \$75,000.00.

That's the call for the public hearing to hear all interested parties in that acquisition."

Supervisor Walter: "Do you want to just give us some elaboration?"

Councilman Wooten: "Basically what it is, is CPF funds purchase a number of properties throughout the town but this is a particular property up on Sound Avenue adjacent to the 4H camp. It's the Terry property and Carter property and through the open space committee, they want to improve the property to put passive recreation, some kiosks, some walking trails, bird watching, native vegetation. Just to improve it, make it a nice place to go and sit and we've got initial (inaudible) reports to say we could do that for less than \$75,000 actually to go ahead and create a nice area and start enjoying some of the open space that we have preserved over the years.

That's basically what it's all about."

Supervisor Walter: "All right. Thank you, Councilman Wooten. Does anybody wish to be heard on this matter? Yes, step up to the microphone sir, and if you could just state your name and hamlet for the record that would be fantastic."

Charles Cetas: "Charles Cetas, I live in Riverhead hamlet. I'm also chairman of the Riverhead open space committee. And I would just like to reiterate what is already stated in the resolution. That the open space committee supports the use of open space money to make this a passive recreation area used for wildlife observation and so forth.

Actually, two parcels are involved. The Carter property that Councilman Wooten mentioned, also (inaudible).

It would be a pretty nice area to visit, a combination of open field and some woods (inaudible) and other kinds of mixed habitat (inaudible).

We envision, I think, a simple- fairly simple improvement. I don't think they will need all of the \$75,000. There will be more discussions as far as our committee as to the details and final design (inaudible).

(The rest of Mr. Cetas' comments were inaudible)

Supervisor Walter: "We always welcome ways to save money. Wood chips sounds like a good idea to me."

(Inaudible comment by Mr. Cetas)

Councilman Dunleavy: "Also, isn't there an entrance to the Sound? You can walk down to the beach? Not from this property?"

Charles Cetas: "It's surrounded on three sides by the 4H camp (inaudible)."

Supervisor Walter: "Okay. Well, thank you, sir. I appreciate it. Thank you for your work on the open space committee. Thank you very much."

Councilman Gabrielsen: "I'd also like to thank the open space

committee and Councilman Wooten to make these things happen. There's so much county land and to finally have trails on it so we can actually use it and see our tax dollars realized, it's a good thing. I want to thank them for that."

Supervisor Walter: "We agree."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "Yes. Why don't you step up, Mr. Biegler."

Eric Biegler: "Where's the public entrance to this (inaudible)."

Councilman Wooten: "I believe it's going to be off of Sound Avenue."

Eric Biegler: "By itself, with a free standing road off of Sound (inaudible)."

Councilman Wooten: "There's going to be a parking area."

Eric Biegler: "There will be a parking area off of Sound. So surrounded by the 4H camp. The 4H camp has a structure (inaudible). Again, I'm a little confused."

Councilman Dunleavy: "I think it's just east of Horton Avenue on Sound Avenue on the north side of the road."

Eric Biegler: "Almost directly across from the Cornell Institute?"

Councilman Dunleavy: "Yes. And there's a- I think there's a dirt road that goes back there. There's a dirt road now that goes back there."

Councilman Wooten: "I don't have my drawing."

Councilman Dunleavy: "You have a drawing?"

Eric Biegler: "I'm just confused as to where it is."

Councilman Dunleavy: "He has the drawing so he'll bring it

up. Okay?"

Councilman Wooten: "But the parking field is only like for six cars (inaudible)."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "Thank you, Mr. Biegler. Would anybody else like to be heard on this matter? Okay. If not, we'll close the public comment portion, leave it open for written comment to August- Friday, August 27th at 4:30 p.m. in the Riverhead town clerk's office."

Public hearing closed: 7:31 p.m.
Left open for written comment for
10 days to Friday, August 27, 2010
at 4:30 p.m.

Supervisor Walter: "We'll move onto resolutions. Does anybody wish to speak on any of the resolutions? Mr. Hattoff."

Matt Hattoff: "I see there is five Chapter 90's."

Councilman Dunleavy: "Matt, could you hold that closer to you- closer to your mouth?"

Matt Hattoff: "I see there's five Chapter 90's here. Are we waiving fees on those also?"

Councilman Dunleavy: "If there are not for profit, yes."

Supervisor Walter: "You've got to look at them."

Councilman Dunleavy: "Yeah, you've got to look at it. If they're not for profit, yes."

Supervisor Walter: "What are the numbers- which numbers are you concerned with?"

Matt Hattoff: "661, 662, 663."

Councilman Wooten: "663 paid, I think the first three are

paid."

Matt Hattoff: "64, 65 (inaudible), 671."

Supervisor Walter: "It's a public record, Matt, you can read it."

Councilman Dunleavy: "I think three are paying and the other ones are not for profit. We don't charge the not for profits. We only charge the commercial ones. Okay?"

Matt Hattoff: "The not for profits, that then becomes a donation of the taxpayer."

Supervisor Walter: "I understand your point, Matt."

Councilman Wooten: "(inaudible), it's also open free to the public."

Supervisor Walter: "Are there any other comments on the resolutions? Yes, sir. Step up, state your name and hamlet for the record."

Michael Gendron: "My name is Michael Gendron. I don't live in any of the hamlets of Riverhead, but I am a business agent with Communications Workers of America, Local 1108 here in Suffolk County and I do represent quite a few of the members that do live in Riverhead town.

I'm here to speak on Resolution 660. This is the law to amend Chapter 92, the tax (inaudible) dealing with highways, streets and sidewalks, really specifically about the proliferation of the double woods, double poles in the town.

I spoke before (inaudible) and I want to thank you for the time to speak at that time, Supervisor Walter, and again for the time now.

Councilman Wooten was good enough to recognize the problem that has existed because some of the utilities have taken it upon themselves to ignore their responsibility with this regard, namely the phone company and Cablevision seem to think that their profits are much more important than the aesthetics and the safety of our town.

And, so, this bill would put some responsibility back on them, some accountability.

The numbers have gone from anywhere into the hundred or thousands and it's funny that, you know, when I first got involved in dealing with this issue, not just here but on a county level and some of the other towns, when I took a moment to step back and start to notice that these poles are just everywhere.

I started to talk to people about it. Most people recognize this, but even the ones that didn't, the next time I saw them they said to me, wow, (inaudible), so I've seen it driving around.

So I just want to thank you for this bill and, hopefully, it will deal (inaudible), which is hold these utilities accountable and remember that the public safety commission is exactly that, for the public, and it's designed to protect the public between safety and (inaudible).

So, again, I thank you for the bill and I hope that you are able to pass it this evening."

Supervisor Walter: "Thank you very much for your comments, sir."

Michael Gendron: "Thank you."

Supervisor Walter: "Does anybody else wish to be heard on the resolutions?"

I just want to acknowledge Councilwoman Blass Councilwoman Rose Sanders in the audience, thank you for coming out tonight. How are you doing, sir?"

David Decesare: "Good evening, ladies and gentlemen, Supervisor Walter."

Supervisor Walter: "I'm going to ask you to state your name and hamlet for the record."

David Decesare: "My name is David Decesare, spelled D-E-C-E-S-A-R-E. I'm the president of the Knolls Homeowners Association and talking about Resolution #675.

At this point, I just want to thank everybody for bringing this resolution up for a vote. (Inaudible)."

Supervisor Walter: "Were you here before when the 50 people left? Okay, no, no. Because you had a lot of support and they left. Go ahead, sir."

David Decesare: (Inaudible)

Supervisor Walter: "Thank you very much. It was a pleasure to help you out."

Councilman Wooten: "Don't forget your board there, Dave."

Supervisor Walter: "Jim, your voice resonates everywhere you go. Does anybody else wish to be heard on the resolutions? There being nobody, then, Diane, I guess it's that time."

Resolution #655

Councilman Dunleavy: "Adopts a local law to amend Chapter 108 entitled zoning of the Riverhead town code, Article VII - accessory apartments. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. vote please."

The Vote: "Gigio."

Councilwoman Giglio: "After the public hearing and after serious consideration on this resolution, I believe that it's important to maintain a balance in government and I believe that the accessory apartment review board gives us that balance. So I vote no."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten."

Councilman Wooten: "As liaison to this particular board and seeing how independently they work and the whole (inaudible) even of this entire code which I happened to be a part of when I first got in office and the need for it, I think it's important that we have an independent board (inaudible).

So I actually agree with Jodi in this and I vote no."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "I think that we have individuals with different backgrounds and different expertise. They go visit every property that comes before them. It's independent; it's not one man making the decision. It's four and five people that are making the decision on the accessory apartments."

I think that we need this accessory apartment review board, so I vote no."

The Vote (Cont'd.): "Walter."

Supervisor Walter: "I guess not that it makes a difference now but I vote yes. I see this as a tax saving, cost saving measure. I think the board does a fantastic job. Unfortunately we're facing what could be a six or six point nine million dollar deficit for 2011 and we're going to have to do everything we can to cut the budget and this was one of those ways, so I do vote yes. And accessory apartment review board, I guess welcome back."

Diane Wilhelm: "The resolution is not adopted."

Resolution #656

Councilman Wooten: "656 authorizes application for funds from the US DOT Tiger 11/HUD community challenge planning grant program. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #657

Councilman Gabrielsen: "Approves the extension of security posted by Mastro Realty in connection with the subdivision entitled Map of Mastro Realty (road and drainage improvements). So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #658

Councilwoman Giglio: "Authorizes the supervisor to execute a municipal cooperation agreement between the town of Riverhead and the Riverhead Central School District. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten."

Councilman Wooten: "This is for our war memorial. Yes."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "Yes. This is for World War II, Viet Nam, Afghanistan, Iraq was monument. It needs to be repaired. They're out there today repairing the shell and we have to put a new walkway in. I think that these people deserve every bit of credit for what they've done for this country. So I vote yes."

The Vote (Cont'd.): "Walter."

Supervisor Walter: "Ditto, Councilman Dunleavy. Yes."

Councilman Wooten: "I'd like to publicly thank Dan McCormack for all his work (inaudible). He did a lot of work (inaudible)."

Councilman Dunleavy: "Thank you, Dan."

Supervisor Walter: "It's like a love fest here today, Dan."

Councilman Dunleavy: "We're going to start hugging up here pretty soon."

Diane Wilhelm: "The resolution is adopted."

Resolution #659

Councilman Dunleavy: "Awards bid on traffic signs and related items. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #660

Councilman Wooten: "This adopts a local law to amend Chapter 92 of the town code of the town of Riverhead entitled Highways, Streets and Sidewalks (ensure timely removal of damaged utility poles on town highways). So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #661

Councilman Gabrielsen: "Approves the Chapter 90 application of Fink's Country Farm, Inc. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. And a fee has been paid for this."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #662

Councilwoman Giglio: "Approves the Chapter 90 application of Garden of Eve, LLC (LI Garlic Festival). So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten."

Councilman Wooten: "Yes. The fee has been paid on this. Yes."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "I vote yes, and I ditto that."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #663

Councilman Dunleavy: "Approves Chapter 90 application of Martha Clara Vineyards, LLC (Octoberfest-beer and wine festival-Sept. 11 & 12, 2010). So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten."

Councilman Wooten: "Yes, and the fee has been paid on that."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "Yes, and ditto the fee."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #664

Councilman Wooten: "This approves the Chapter 90 application of the Riverhead Country Fair Committee (Riverhead Country Fair - October 10, 2010). So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. This is a positive thing for the town of Riverhead. This is not for profit. It beautifies the town of Riverhead, so no fee has been paid.

I vote yes."

The Vote (Cont'd.): "Walter."

Supervisor Walter: "Yes. That's the country fair."

Diane Wilhelm: "The resolution is adopted."

Resolution #665

Councilman Gabrielsen: "Approves the Chapter 90 application of Hallockville, Inc. (Fall festival and craft show - September 18 and 19, 2010). So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Again, yes. This is Hallockville. They do a great job in preserving and showing what our farms used to look like when they were here, and our tractors and they have that great tractor pull.

So there's no fee, but I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is

adopted."

Resolution #666

Councilwoman Giglio: "Extends bid contract for water meters and accessory equipment for use in the Riverhead Water District. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #667

Councilman Dunleavy: "Authorize the town clerk to re-post and re-publish the attached notice to bidders for asbestos removal and sanitary system remediation and abandonment for the former Weeping Willow Motel. And that's on East Main Street-- West Main Street. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter."

Supervisor Walter: "Yes, and eventually we'll get the thing torn down. The resolution is adopted."

Resolution #668

Councilman Wooten: "Peconic Avenue pedestrian crossing budget adjustment. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #669

Councilman Gabrielsen: "Ratifies the approval of the application for fireworks permit of Riverhead Chamber of Commerce (August 7, 2010 - music idol night). So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, no; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. If anybody didn't come, we had a great night down here, there was great fireworks. And I tell you, they had 33 children there from Suffolk County who sang and they put on a great show and it was free."

I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #670

Councilwoman Giglio: "Authorizes the release of site plan security of Joseph Johnson a/k/a LNJ Realty, LLC. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #671

Councilman Dunleavy: "Approves Chapter 90 application of Riverhead Chamber of Commerce (Rock-n-Roll show - August 19, 2010). So moved."

Councilman Wooten: "Seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten."

Councilman Wooten: "Yes. This Thursday night, come down to the car show, we have a rock band going 7 to 12. Yes."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "Yes. And if anybody here come down, they have classic cars down there. Every Thursday night, and I have to commend again our supervisor for bringing this car show from Wading River to Riverhead and they're going to have a rock n roll show also down there on the-- August 19th.

I vote yes."

The Vote (Cont'd.): "Walter."

Supervisor Walter: "Yes. And it's my wife's birthday August 19th. Guess where she's going?"

Diane Wilhelm: "The resolution is adopted."

Resolution #672

Councilman Wooten: "Authorizes town clerk to advertise for bids on traffic line striping. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. I just hope we don't take the cheapest one. I think the cheapest one lasts I think two days. I think we should look into a better paint.

But I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #673

Councilman Gabrielsen: "Authorizes the supervisor to execute consent for new Cingular Wireless PCS to replace antennas pursuant to lease agreement. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #674

Councilwoman Giglio: "Adopts a local law enacting Chapter 112 entitled Geese Feeding of the Riverhead town code. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, no; Gabrielsen, yes; Wooten."

Councilman Dunleavy: "What are you laughing about?"

Councilman Wooten: "Well, I understand the intent of this and I understand where it came from with the estuary system and with this (inaudible). I know the river now (inaudible).

I vote yes now (inaudible)."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "I'm voting yes. I just wish this went further. I had a disagreement with our past councilwoman and she showed me the light, that this does damage and hurt our geese, our ducks, anything that you feed and I just wish this would be further than just geese.

I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #675

Councilman Dunleavy: "Oh, it's me.

Authorizes town clerk to publish and post a public notice for a public hearing regarding an alleged unsafe structure located at the Knolls of Baiting Hollow, 1411, 1311, 1211, 1111, 1410, 1310, 1210, 1100 Bluffs Drive, Baiting Hollow, Suffolk County, New York, SCTM# 11.2-1-181, 182, 183, 184, 185, 186, 187, 188 pursuant to Chapter 54 of the Riverhead town code. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #676

Councilman Wooten: "676 authorizes extension of contract with Maggio Sanitation for one year. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #677

Councilman Gabrielsen: "Pays bills. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Supervisor Walter: "Okay. That concludes our official business for the town. If anybody would like to speak to the board about any matter that we have before us or we might have before us

in the future or anything you'd like to, please step up. Mr. Biegler."

Eric Biegler: "Eric Biegler, Riverhead, New York."

In the near future, what's going to be before you is the site plan for your review to determine whether or not there's a need to go (inaudible).

This site plan will bring approximately 40,000 square feet of retail space-- "

Supervisor Walter: "Could you let the board know which property?"

Eric Biegler: "It is the EMB Development on the corner of Sound Avenue and Park Road.

Putting this-- I'm sorry, the site plan will bring approximately 40,000 square feet of retail space to the rural historic corridor that we all know as Sound Avenue.

Putting this into perspective, there are two retail establishments now on Sound Avenue. One is the Cooperidge Inn, a restaurant consisting of about 6,000 square feet with retail space.

The next is the Lobster Roll Restaurant with its boutique stores surrounding it. That has approximately 9,000 square feet of space. Each of these locations has presented challenges to the surrounding neighbors, has presented certain things that the town has had to mitigate and done so successfully.

The proposed Sound Park Development has been considered by this town board on several occasions. The property is zoned RB-80. Adding this retail location that is about eight times the size of any existing location on Sound Avenue will surely have significant impacts to the area.

This is your opportunity to identify in hopes of correcting or lessening any negative environmental and safety impacts before this beautiful and historic Sound Avenue corridor is lost forever.

Please don't take the easy way out and pass along the problem so that other town boards may have to fix them. Don't saddle future

generations of this town with these headaches.

I ask you to take a close look at the site plan and I request that you send it to (inaudible) scoping session. Forty thousand square feet is far beyond the needs (inaudible)."

Supervisor Walter: "Thank you very much, Mr. Biegler.

Just so everybody understands, the court approved that site plan much to the chagrin of many people so we are left with-- the only thing we are left with is the environmental review which we're-- the board is looking into at this point.

Yes, sir, can you just state your name and you're from Reeves Park, I guess."

Mike Fowley: "Good evening. My name is Mike Fowley and my address is (inaudible).

I've never met you, Supervisor Walter, or you Councilwoman Giglio or Councilman Gabrielsen. Congratulations on your election.

I have seen-- I had the pleasure of speaking with Councilman Wooten and Councilman Dunleavy. I'm hopeful that with your involvement in Riverhead prior to your election, that you are familiar with the five or six year battle between the communities-- not just Reeves Park-- but every community north of Sound Avenue and the developers that were contemplating basically strip malls in what has been deemed a historical corridor and due to some technical mistakes in master plans-- and I can't speak technically on that, Supervisor Walter but certainly we have people in the community that are familiar with it.

It has been a long running battle and certainly we were able through a lot of community activism to get the town council to go from four to one in favor of development to four to one in favor of not development.

And then a long court battle ensued and we went from a Supreme Court case where in my layman's opinion, we had a judge actually doing zoning decisions instead of ruling on the appropriateness of development, to an appellate division that when we got word in Reeves Park from our president, Eric Biegler, the opinion of the town board was that we had lost it or more appropriately the

developers had won it and could now proceed with the development.

Well, obviously we had a concern with needing to verify. The association sought a legal opinion and we have since retained attorney Carolyn Zenk who is a former town councilman in the town of Southampton, and has been retained basically as an environmental advocate for a number of associations in Long Island.

To the best of our knowledge and, again, this just came to me and I trust a letter will be delivered to all you today or tomorrow introducing her. Puts forth the position that she believes the appellate division didn't kill this issue but actually favors the community in stifling this kind of development in the area.

So I'd just like to-- it's a six page letter; I'm not going to read the six pages."

Supervisor Walter: "Do you have a copy to deliver to the clerk so we can put it in the record?"

Mike Fowley: "I do not but it's my understanding, sir, that the copies were going to be delivered to the town board either today or tomorrow for their consideration and perusal.

And I'll just highlight a few things on it as quickly as I can.

My clients inform me that you have become discouraged by what you perceive as a negative court decision against you and that you are considering accepting the site plan under the controversial business CR zone and issuing a negative declaration for the site plan that the developers have submitted in the EMB case.

They tell me that it is your belief that the courts have directed you to approve both the business zoning and site plan. However, they also inform me that your counsel, Dawn Thomas, Attorney at Law, had the foresight to advise the town board to rezone the property at issue from the business zone at issue to an agricultural residential zone while the Supreme Court case was pending.

Furthermore, they informed me that this second change of zone is done properly, consistent with each of the court decisions on the issue, specifically, you have taken the proper procedural steps to enact the residential zone the second time around, to wit, #1, you

have amended your comprehensive plan to reflect the change. And #2, you have amended the draft generic environmental impact statement final EIS and findings statement to reflect a new change.

And #3, you have properly enacted the zoning change and #4, you have properly referred the zone change to the county.

I have read and analyzed both the Supreme Court and Appellate Division Second Department cases numbered. I understand the cases. There was a huge issue regarding whether proper procedure was followed with respect to the agricultural residential zone and I want to skip just a little bit here and you will see it all.

But to finalize this. If my clients are correct and you probably enacted or will enact a proper zone change before the developer's rights have vested, current trends surrender a SEQRA decision on site plan that conforms to a business zoning that no longer exists seems completely misplaced.

It appears that your counsel has outsmarted the developers. Furthermore it appears that the developers have made a major blunder by not challenging the second change of zone within the extremely limited statute of limitations.

Now there's a lot of flowery wording in here. I'm hoping that you will take a hard look at this and instead of saying that we've gotten beat on this, us being the community, and are giving a 40,000 square foot strip mall a footprint outside a basically summer community and putting that kind of a historic corridor at risk with these kind of strip malls.

When you look at Route 58 and you look at Main Street and see dozens and dozens of storefronts and millions of dollars spent by town boards prior in trying to generate commercial business, when you see that kind of a ghost town and they want to put in our historic corridor this type of a development, it just seems totally counter to anything that this town needs to go and continue to get people that want to take a look at trees instead of strip malls a chance to go up Sound Avenue.

Now Supervisor Walter, I don't know a lot about you. I promise I'll do my best to find out a little bit more about you as the days--

Supervisor Walter: "What do you want to know?"

Mike Fowley: "Well, it's my understanding that you represent commercial developers in regards to getting things done, permits done- "

Supervisor Walter: "Not anymore."

Mike Fowley: "Excuse me."

Supervisor Walter: "Not anymore."

Mike Fowley: "Well, certainly I would imagine that something like that, you would at least recuse yourself from situations like this or at least represent a conflict of interest that would need to be disclosed."

Supervisor Walter: "Not in this case."

Mike Fowley: "Well, again, Supervisor Walter, this is brand new to me and I'm just making a statement, number one, to tell you that I'm encourage by what our retained counsel has stated. It's not a loss as was described to us by the town board, but in her opinion, a win.

And all I'm asking for here is that you look at this with a clear mind and we have grounds to maintain the historic corridor in Reeves Park, in Sound Avenue, for the people to go out there and enjoy. And restrict this kind of commercial attempt to areas that are ghost town. Our downtown- I counted dozens, I gave up counting, the amount of empty storefronts we have on Main Street.

My family has been here since 1952. I intend to spend five months of the year here for the rest of my life. I own two properties in Reeves Park. We are certainly a second generation community and these people are retiring out here and the last thing we need is a 40,000 square foot commercial development with inquisitive strangers in the wintertime when there's nobody there to go down and look around and see there's no cars there.

What's that going to do to our crime? What's that going to do to our neighborhoods when there's nobody there to see?

And, Supervisor Walter, I'll ask you please take a look at

that. Councilwoman Giglio, I understand that you also have a business background in handling permits, variances for commercial development.

Do you understand, as a layperson, when I see a change on the board that seems to (inaudible), favor commercial developers, now that's not fair, I'm not looking to paint you with a brush. But certainly it gives us the opinion that we have to take hard looks at anything that involves commercial developers coming into the disadvantage of the population that does not want them there in the first place.

And all I'm saying here is I'll ask you to carefully read this and if there's any chance for us to say, listen, can we take another look at this? Is it possible that maybe we can talk to these developers and say, you know, we prefer to look at trees but we certainly prefer houses to a strip mall. And maybe there's something that can be done there.

And certainly in this economy, it's impossible to say why don't we spend two or three million dollars and make this something that cannot be developed. It will be a beautiful thing to do.

It seems to me when you look at the area and you look at the intent of a historic corridor, money could not be better spent than to purchase that from the developer and keep it unused at all. Just keep the beauty of the people that are coming out after two hours on the Long Island Expressway and are looking at cornfields instead of pizza parlors.

So, I would just ask you to take a hard look at that and certainly we'll be taking a very close look at the board's decisions, how they reached those decisions, and if there is any way if those decisions are contrary to the wants and desires of the people that are going to have to drive by there to overcome whatever decisions are made that we believe are not in the best interest of the people of Reeves Park and other north shore communities.

Thank you very much."

Councilman Dunleavy: "Thank you."

Councilwoman Giglio: "And just for the record, I drive by that property every single day, I live on Sound Avenue in Baiting

Hollow, so- but we also have to take into consideration property rights. So your point is well taken.

We pursued litigation or an appeal against the developer and we lost. So now we have to re-examine that and figure out whether or not we want to spend more tax dollars in appealing it again. And we will be having that discussion very shortly."

Councilman Wooten: "Can I point out you're absolutely right. We lost the first one but in the meantime we did go back and make all the corrections that had to be corrected that they stated in the first one, so (inaudible)."

Mike Fowley: "As a point of personal privilege, again, I am not an attorney. I am not an expert in these things but I do know that when I have an attorney that has an environmental background saying we have recourse here. We do not have to just give in to this and let this developer have carte blanche."

Supervisor Walter: "Okay. I want to give you- I understand Ms. Zenk's letter. We met with an attorney, Mr. McLaughlin who said he represented the Reeves Park people. We met with Eric Biegler, Mr. Kelly. I gave them the opportunity to speak or I gave them the opportunity to give us information that will help us in our SEQRA determination.

I know Carolyn Zenk. I'm going to tell you this. The court approved the site plan, period. That is the site plan approved by the court. The appellate division said site plan approved subject to finishing SEQRA.

So the opportunity to say you want houses, you want this, you want that isn't going to present itself anymore. The only thing that will present itself is our determination of SEQRA. If was neg dec'd originally then it was pos dec'd because of the totality of all of the commercial development that might happen there that is not going to happen now because of the settlement and some other things that have happened so the decision before the board, and I mean this, the court approved the site plan. It's right in the language. I can't change that. That is the 40,000 square foot development, that is what is going to happen subject to our analysis of site-- SEQRA.

We're not going to litigate against Mr. Barra (phonetic) again,

we've lost.

My opinion was what I did with Mr. McLaughlin, Mr. Biegler, Mr. Kelly should have been done five years ago where you all locked in a room. You came out with something that everybody was equally miserable about.

You know what? The board didn't do that. They decided to go for all the marbles. They lost. I still make the offer, if your attorney is Ms. Zenk, we have not made the SEQRA determination. We will work through it to try to do what we can but my hands are tied.

And I'm not conflicted on this piece; I am conflicted on the piece across the street. He was a client. I make that disclosure. I've made it over and over."

Mike Fowley: "Who are you talking about there, Mr. Supervisor?"

Supervisor Walter: "The Broidy (phonetic) parcel."

Mike Fowley: "Thank you."

Supervisor Walter: "The Broidy parcel, (inaudible) development. And the board is contemplating that one and trying to come to a resolution but I won't even speak to it because I can't.

But, again, if Carolyn Zenk is representing-- we need to know who's representing the community. The community is always able to bring a suit assuming you can withstand standing-- you know, assuming you have standing, you can bring your suit as the site plan progresses but that's where we're at.

So I would welcome input in terms of the SEQRA and my hands are tied."

Mike Fowley: "Mr. Supervisor, certainly the three gentlemen you just mentioned, Mr. Biegler, Kelly and McLaughlin are neighbors, advocates and certainly I support all of them. Ms. Zenk, I wouldn't know if I tripped over. But looking at her biography, it seems to me that she's a worthy legal advocate, well versed in environmental law.

And, again, not being an attorney and being able to determine, people keep telling me that the court approved the site plan and it is my understanding they don't have that jurisdiction."

Supervisor Walter: "Did you read the decision?"

Mike Fowley: "No, sir."

Supervisor Walter: "It says right in the decision verbatim."

Mike Fowley: "Thank you very much for your time and it sounds to me that you are all well versed on it and I thank you for that."

Supervisor Walter: "Does anybody else wish to be heard tonight? Yes, step up. Oh, wait a minute. Can we have the Eagle Scouts first? Okay."

(Inaudible comment)

Supervisor Walter: "Thank you for coming out."

Councilman Dunleavy: "Thank you."

Councilwoman Giglio: "Thank you."

Supervisor Walter: "This board has an effect on this room tonight, just mass exodus. Yes, go ahead, if you could state your name and hamlet."

Councilman Dunleavy: "Could you speak into the mike, please?"

Dorothy O'Hare: "There are two site plans. The first one is the one that was given out at town hall by the clerk's office. But there was a revised one because the police chief said there's no way that he could get a fire engine back there.

So the second group of stores on the right hand side (inaudible).

The other thing is the septic systems. I counted 29. The aquifer is only 90 feet below this site."

Supervisor Walter: "Let me just caution you for a second or give you some information. We don't control the sanitary situation.

That's by Suffolk County Health Department. Where each one of those stores says wet store, they have to go to the Suffolk County Health Department regardless of what the court says for approvals and- I mean it's my opinion. They're not going to get all those wet stores. They're not going to get that flow on that site- "

Dorothy O'Hare: "Isn't that all part of the SEQRA review?"

Supervisor Walter: "-- but that's part of the Suffolk County- it is part of the SEQRA review if you do a full environmental impact statement but the decision is with the Suffolk County Health Department, not us."

Dorothy O'Hare: "Yes. Yes, that I understand. I went down two years ago to the Suffolk County Health Department and they gave me this water map that all this information is on.

And it's a critical zone. And what they mean by critical is how we got (inaudible) contamination because the sand is- it's so sandy that the chemicals don't have time to biodegrade. They just go right down. (Inaudible) was tested out in Minneapolis and they have clay soil out there. We don't have that here.

Not only that, the underground flume goes right down Park Road."

Supervisor Walter: "The groundwater in that area flows to the Long Island Sound. Our water supplies are all south of you and (inaudible) the aquifer probably 200 feet deep at least. So there's no impact to your drinking water."

Dorothy O'Hare: "But it says right on (inaudible) environmental report that was part of the site plan, that the water table- the aquifer under there is only 90 feet."

Supervisor Walter: "That's part of the review. Yes. That's part of the review."

Dorothy O'Hare: "What I'm asking for- I don't know where this is going to go. But just be careful. I mean, you know- I mean they've only provided four gallons more than the law requires for all those stores and all those cesspools and they go right down to your own town beach."

Supervisor Walter: "Well, if that's the case then they probably can have all those wet stores. I didn't do an analysis but if you've done that, then maybe they are correct."

Dorothy O'Hare: "And what's going to happen in November when all the summer tourists go home to all those stores?"

Supervisor Walter: "Miss O'Hara, if I was your supervisor at the time, we would not have done it this way. I'm sorry. As I said, I would have locked you all in a room and I don't have that opportunity now."

Dorothy O'Hare: "Like I said, the gist of what I'm asking is to please be careful."

Supervisor Walter: "We're going to do everything we can to follow the law. The goal of this board is to do the right thing the first time regardless of who's looking and not everybody may agree what the right thing is but that's what the goal of the board is and that's what we're going to try to do."

Dorothy O'Hare: "The town paid \$400,000 to hire a master planner and they said get rid of all these CR's and leave Sound Avenue as a rural corridor. It got rid of all the rest of them but not this one. This one was changed in the middle of the night."

Supervisor Walter: "Thank you. Anybody else wish to be heard?"

Dean Locke: "My name is Dean Locke. I'm a principal of Vertical Solutions of New York. We are a (inaudible) wireless company and I just came in this evening to see if the board has made a determination and awarded the RFP for wireless towers on property."

Supervisor Walter: "No."

Councilman Dunleavy: "We haven't."

Councilwoman Giglio: "There was a resolution that was drafted by the town attorney yesterday that was supposed to be in the packet tonight, but it was pulled. So it has not been awarded as of yet."

Dean Locke: "I had sent in a letter to Dawn Thomas in June

and had also put a FOIL request in for some information about existing agreements that the town has with tower companies and it's been almost two months. I haven't received any response at all. And I also haven't received the information that I requested on June 22nd. So I was just wondering if- "

Supervisor Walter: "Dawn, have you seen this request?"

Dean Locke: "-- it's going to be addressed. I mean, I have a copy of the letter here."

Councilman Wooten: "The name of your company again, sir, is Vertical Solutions? Okay, thank you."

Dean Locke: "I just wanted to mention that I think we brought up some pretty valid points in this couple of pages letter. We deal with municipalities on a weekly basis and respond to RFP's about every six weeks. And there's definitely some things missing in this RFP in order for us to look at it accurately.

So I just wanted to express that to the board and hope that maybe we can get some sort of correspondence from you guys soon so we can put a bid in that would be in the best interests of not only my company but the town of Riverhead."

Councilman Gabrielsen: "So obviously you didn't bid but at the time you requested 10 more days."

Dean Locke: "That's correct."

Councilman Gabrielsen: "Before it was put out."

Dean Locke: "I submitted that letter- "

Councilman Gabrielsen: "And there was no response."

Dean Locke: "And there was no response."

Councilman Gabrielsen: "You didn't rush it or slow it down. You just kind of feel you've been ignored."

Dean Locke: "Basically I made several calls to the attorney's office and I never got a return call, never got a piece of correspondence in the mail and I just question why. I deal with- "

Supervisor Walter: "Well, the bidding process is a bidding process. We've set forth two weeks, You may not agree, you may agree. The board made that determination. You had to do it within the two weeks. I believe there were four- three bidders and one-- "

Councilman Dunleavy: "There was a fourth, but one was late."

Supervisor Walter: "Okay, so there were three people that did bid on time and put bids in."

Dean Locke: "When you say there were three bidders."

Supervisor Walter: "Three people responded to the RFP."

Dean Locke: "Okay. Now it brings up in the RFP specifically that the contractor needs to be duly licensed by the FCC. So were the three bidders that bid- "

Supervisor Walter: "I'm not answering questions about the bidding. The information has not been released."

Dean Locke: "Because it says right in the bid that they have to be licensed by the FCC."

Supervisor Walter: "We're not- okay, good, thank you."

Dean Locke: "So I'm just curious if- "

Councilman Wooten: "Where did you see the- did you see the RFP advertised? Is that where you saw it? You just saw it someplace?"

Dean Locke: "It's in miscellaneous on page 10."

Councilman Dunleavy: "No, no. Did you- where did you see it advertised?"

Dean Locke: "It was in the newspaper."

Supervisor Walter: "So the News Review makes it to Manhattan."

Councilman Dunleavy: "But anyway, you did have the two weeks to put it in that the town board did give you. And you didn't."

Dean Locke: "We respond to RFP's all the time and it's customary that we get at least 30 days to accurately review the RFP. I've never seen a bid in 15 years that was two weeks.

So I just wanted to express my concerns and I would like to be part of the process."

Councilman Dunleavy: "We appreciate it. Thank you."

Dean Locke: "Thank you very much."

Councilwoman Giglio: "Thank you."

Supervisor Walter: "Does anybody else wish to be heard tonight? Nobody else wishing to be heard, can I get a motion to close the meeting?"

Councilman Dunleavy: "I make a motion to close the meeting."

Supervisor Walter: "All in favor?"

Collective response: "Aye."

Supervisor Walter: "Meeting is adjourned. Thank you."

Meeting adjourned: 8:17 p.m.

Chane M. Wilhelms
Town Clerk